

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION**

MISCELLANEOUS CIVIL APPLICATION NO. 47 OF 2023

Smt. Manisha Vinayak Bhosale

....Appellant

Versus

Shri. Vinayak (vinod) Shivaji Bhosale

....Respondent

Mr. Yuwraj D. Patil i/b Mr. Mukesh Y. Dongarge, Advocate for the
Applicant.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 14th FEBRUARY, 2024.

P.C. :

1. By this Application, Applicant is seeking transfer of divorce petition filed by the Respondent-Husband, which is pending before the Civil Judge, Senior Division, Wai to Family Court, Solapur.

2. It is contention of learned counsel for the Applicant that Applicant stays at Solapur with her old age parents. Applicant is finding difficult to attend the Court's dates at Wai. The distance between Wai to Solapur is more than 200km. Hence, requested to allow the Application.

3. Though the Respondent is served. None present for the Respondent. Sufficient chances are given to the Respondent to go on with the matter. Today also none present for the Respondent hence, I am deciding this Application on merit.

4. Applicant stays with her old age parents at Solapur. The distance between Wai to Solapur is more than 200km. Applicant is finding difficult to attend the Court's dates at Wai. It is settled principle of law that while considering the transfer petition, the Court has to consider convenience of wife over husband.

5. In view of above, I pass following order.

ORDER

- i. Application is allowed.
- ii. The marriage petition No. 138 of 2023 pending before the Wai be transferred to Family Court, Solapur.
- iii. Both parties to appear before the family Court, Solapur on 18th March, 2024.

6. The Miscellaneous Civil Application is disposed of.

(SHIVKUMAR DIGE, J.)